



December 2, 2015 BZA

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

16AR0114

Goldie M. Mustian, James and Belinda Fink

Bermuda Magisterial District
15821 Branders Bridge Road

REQUEST: Renewal of Special Exception to permit a temporary manufactured home in an Agricultural (A) District.

RECOMMENDATION

Recommend approval for the following reasons:

- A. This request will not adversely affect the health, safety or welfare of persons residing on the premises or in the immediate area.
- B. The request serves a housing need of immediate family on a temporary basis.
- C. Given the size of the property, the temporary manufactured home will not have an adverse impact on the character of this area, which is predominantly single family dwellings on large acreage parcels.

(NOTE: THE ORDINANCE LIMITS THE MAXIMUM PERIOD OF TIME FOR WHICH A SPECIAL EXCEPTION FOR A TEMPORARY MANUFACTURED HOME MAY BE GRANTED TO SEVEN (7) YEARS. SHOULD THE BOARD WISH TO APPROVE THIS REQUEST, THIS APPROVAL WOULD BE FOR SEVEN (7) YEARS UNLESS CONDITIONED FOR LESS TIME.)

GENERAL INFORMATION

Location:

The request property fronts the east line of Branders Bridge Road, south of Treely Road and better known as 15821 Branders Bridge Road. Tax ID 789-635-6055.

Existing Zoning:

A

Size:

7.1 acres

Existing Land Use:

Single-family residential; Temporary manufactured home; Family landscape business (Conditional Use permit 11SN0179)

Adjacent Zoning and Land Use:

North – A; Single-family residential and Vacant
South - A; Vacant and Family landscape business
East - A and R-12; Vacant
West – A; Vacant

Utilities:

The existing structures utilize private well and septic as public water and wastewater are not available to serve the property. The proposed request will not impact the public water and wastewater systems.

Health Department:

The Health Department must approve any new or expanded use of individual well and septic systems.

Environmental Engineering and Transportation:

This request will have minimal impacts

Fire Service:

The Harrowgate Fire Station, Company Number 21, and the Bensley-Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service. This request will have a minimal impact on Fire and EMS.

LAND USE

Comprehensive Plan:

The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2.0 to 4.0 dwellings per acre).

Area Development Trends:

Area properties are zoned Agricultural (A) and Residential (R-12) and are occupied by single-family residential uses or remain vacant. It is anticipated single-family residential uses would continue in this area, as suggested by the Plan.

Zoning History:

On January 7, 2009, the Board of Zoning Appeals granted approval of a Special Exception to park a manufactured home on property owned by James and Belinda Fink (Case 09AN0137). Occupancy of the manufactured home was limited to the applicants, Claud and Goldie Mustian, being the parents of the property owners. The approval was granted for a period not to exceed seven (7) years, expiring in January 2016.

DISCUSSION

The applicants are requesting a renewal of a Special Exception, Case 09AN0137. The temporary manufactured home is located on the property belonging to James and Belinda Fink; son and daughter-in-law of Goldie M. Mustian. Ms. Mustian intends to reside in the manufactured home while James and Belinda Fink live in the existing single family dwelling on the property (Attachment 1). The Finks have indicated this Special Exception is necessary to assist Ms. Mustian with everyday living needs.

Staff visited the subject property and observed the temporary manufactured home located approximately 700 feet off of Branders Bridge Road. The temporary manufactured home is well buffered from Branders Bridge Road by existing vegetation and appears to be in good condition. Additionally, the applicants own the adjoining property to the east and south, which provides for an additional buffer to adjoining properties. The southeastern tip of the subject property adjoins Harrowgate Meadows subdivision that was recorded in 2008. The adjacent lot is 8.6 acres and vacant.

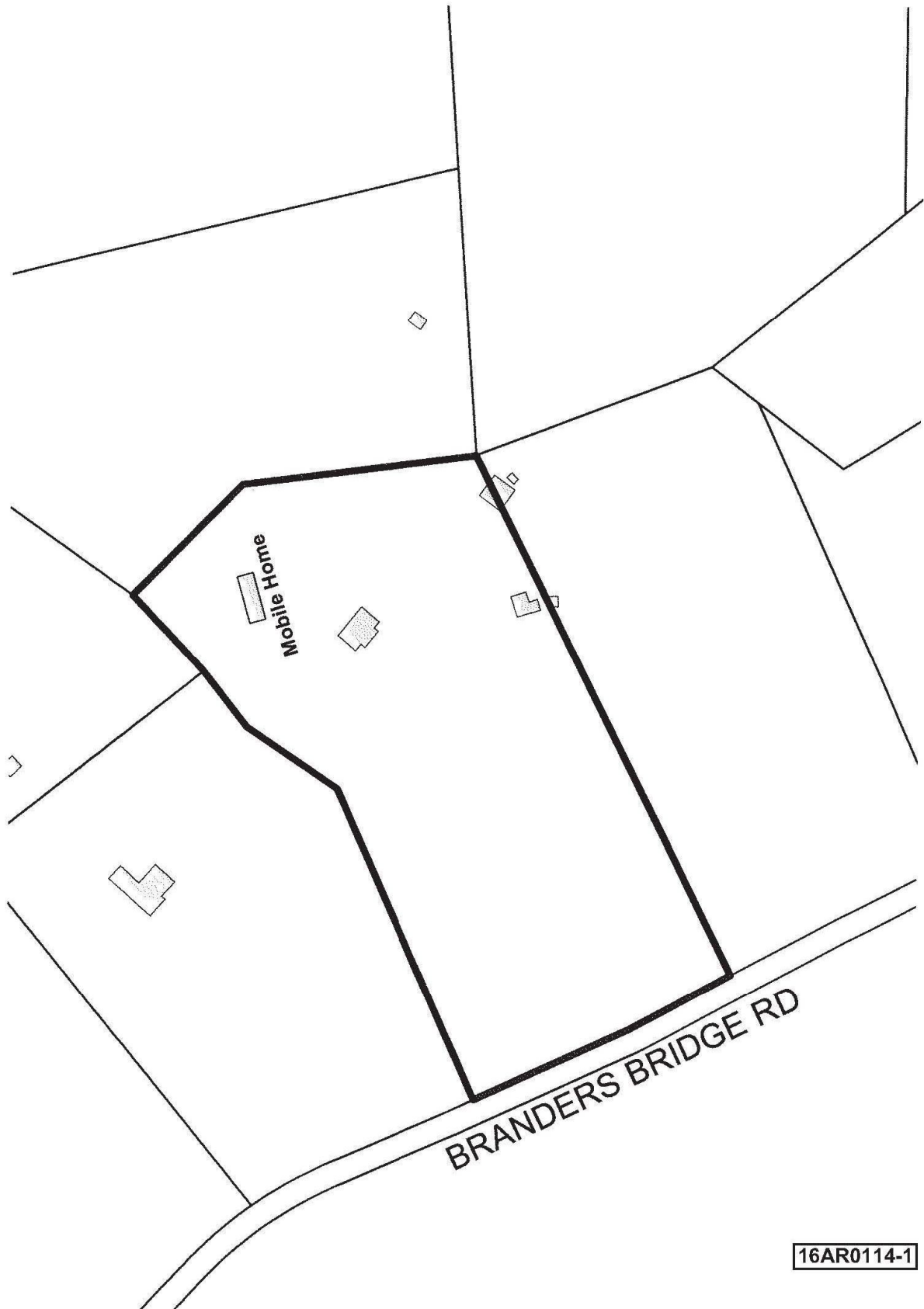
CONCLUSION

When a temporary manufactured home has been located on property occupied by a single-family dwelling, it is typically based upon a family relationship between the occupants of the manufactured home and the single-family dwelling. In these cases, the Special Exception is requested to satisfy an immediate housing need on a temporary basis. As previously noted, the temporary manufactured home continues to be occupied by the applicant's parent with the applicants residing in the single-family dwelling.

This proposal will not have an adverse impact on the adjacent properties nor the character of the area. Given these considerations, approval of this request is recommended subject to the two conditions noted herein.

CONDITIONS

1. Applicant's mother, Goldie Mustian, shall be the owner and occupant of the manufactured home. (P)
2. No additional permanent living space may be added onto this manufactured home. This manufactured home shall remain skirted and never be placed on a permanent foundation. (P)



16AR0114-1